

## REMARKS

In the Office Action dated June 3, 2005, pending claims 1, 3, 5-8, 10-12, 14, 15, and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 415,552 to Orr ("Orr").

### 35 U.S.C. §102

Pending claims 1, 3, 5-8, 10-12, 14, 15, and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Orr. Orr, however, does not disclose each and every limitation of Applicant's claims, including independent claims 1, 8, 12, and 15.

#### **Claim 1**

Orr does not anticipate claim 1. Orr does not disclose or teach the flap being bent downwardly from the brace section toward the back portion of the front panel. As stated on page 2, lines 38-42 of Orr, the tongue 9 is adapted to be entered through the slot *f* in the back flap 3 of frame. The tongue 9, therefore, bends toward the back flap, not the back portion of the front panel. Also, as is clearly shown in FIG. 5, when the tongue 9 is bent to enter slot *f*, it is bending away from the back portion of the front panel 4. Accordingly, the tongue 9 of Orr never bends toward the back portion of the front panel 4.

Orr also fails to disclose or teach the flap providing a spring biasing force on the back portion of the front panel to hold goods in the opening. As the tongue 9 does not bend toward the back portion of the front panel, the tongue 9 cannot provide a spring biasing force on the back portion of the front panel to hold goods in the opening, as required by claim 1.

Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 1 and respectfully request indication that claim 1 is allowable.

### **Claim 8**

Orr does not anticipate claim 8. Orr does not disclose or teach the flap being bent downwardly from the brace section toward the back portion of the front panel. As stated on page 2, lines 38-42 of Orr, the tongue 9 is adapted to be entered through the slot *f* in the back flap 3 of frame. The tongue 9, therefore, bends toward the back flap, not the back portion of the front panel. Also, as is clearly shown in FIG. 5, when the tongue 9 is bent to enter slot *f*, it is bending away from the back portion of the front panel 4. Accordingly, the tongue 9 of Orr never bends toward the back portion of the front panel 4.

Orr also fails to disclose or teach the flap providing a spring biasing force on the back portion of the front panel to hold goods in the opening. As the tongue 9 does not bend toward the back portion of the front panel, the tongue 9 cannot provide a spring biasing force on the back portion of the front panel to hold goods in the opening, as required by claim 8. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 8 and respectfully request indication that claim 8 is allowable.

### **Claim 12**

Pending claims 12 through 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Orr. Applicant amends claim 12 by clarifying that the bottom panel is adjoined to the front panel and the back panel is adjoined to the bottom panel and the front panel.

Orr, however, does not disclose or teach each and every limitation of Applicant's amended claim 12. Particularly, the back panel 3 of Orr is not adjoined to the bottom panel 4 as required by claim 12. As defined in Meriam-Webster online dictionary (<http://www.m-w.com/>) "adjoined" is defined as to lie next to or in contact with. Accordingly, claim 12 requires the back panel and the bottom panel to lie next to or in contact with each other. As is clear from FIG. 6 of Orr, the back panel 3 and bottom panel 4 are separated by the front panel 2. Accordingly, it is impossible for the back panel 3 and bottom panel 4 to lie next to or in contact with each other, which makes it equally impossible for the back panel 3 and the bottom panel 4 to be adjoined.

Further, Orr fails to disclose or teach the flap providing a spring biasing force on the back portion of the front panel to hold the goods in the opening. The tongue 9 of Orr does not provide a spring biasing force on the back portion of the front panel to hold the goods in the opening. As stated on page 2, lines 38-49, the tongue 9 enters the slot f in the back panel so as to hold the leg 4 in its proper inclined position behind the frame. The tongue 9 does not provide any sort of spring biasing force, much less one on the back portion of the front panel. Additionally, as clear from FIG. 3, the opening created by 5, 5, 6 is so large that the tongue 9 would not and cannot provide a spring biasing force on the back portion of the front panel, as it is incapable of contacting the back portion of the front panel. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 12 and respectfully request indication that claim 12 is allowable.

### **Claim 15**

Orr does not anticipate claim 15. Orr fails to disclose or teach a flap that extends downwardly from the brace section and towards the back portion of the front panel, wherein the

flap provides a spring biasing force on the back portion of the front panel so as to hold the goods in the holder. As previously stated, the tongue 9 is adapted to be entered through the slot *f* in the back flap 3 of frame. The tongue 9, therefore, extends toward the back flap, not the back portion of the front panel. Also, as is clearly shown in FIG. 5, when the tongue 9 is bent to enter slot *f*, it is bending away from the back portion of the front panel 4.

Orr also fails to disclose or teach the flap providing a spring biasing force on the back portion of the front panel to hold goods in the opening. As the tongue 9 does not bend toward the back portion of the front panel, the tongue 9 cannot provide a spring biasing force on the back portion of the front panel to hold goods in the opening. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 15 and respectfully request indication that claim 15 is allowable.

As claims 3, 5-7, 10, 11, 14 and 17-20 depend directly or indirectly from claims 1, 8, 12, and 15 and add additional limitations thereto, Applicant submits that such claims are likewise allowable over Orr and respectfully request withdrawal of the rejections thereof.

In light of the foregoing arguments and amendments, Applicant respectfully requests the Examiner withdraw the rejections and indicate the pending claims as allowable. Should the Examiner have any questions or comments regarding this case, the Examiner is encouraged to call undersigned counsel at her convenience.

Respectfully submitted,

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Todd A. Benni, Reg. No. 42,313  
McDonald Hopkins Co., LPA  
600 Superior Avenue, E.  
Suite 2100  
Cleveland, OH 44114-2653  
(216) 348-5740